CHAPTER – I

NATION-STATE AND NATIONAL SECURITY

Origin of Nation-States:

The attempt to balance national security and civil liberty became indispensable with the emergence of nation-state in 18th century. The conflict between state action and individual freedom became inevitable and thus, attempts were made to bring an adaptable balance between security and liberty. With the emergence of idea of liberty in England, political liberty was given emphasis. It was held that with out free and fair elections no democratic governance could be possible. Popular participation was raised and demanded. People started thinking that political liberty can only help them to shape up their society. Following English Political thought, Americans too started their freedom movement. They were not only disgusted but wanted to start a new life. They believe that “they were enjoying in America more freedom that they could enjoy in Europe.”(Srivastav and Majumdar 1999 : 119) They were convinced that unless colonial rule would come to an end, there can never be an atmosphere of voice of people. They can never be in a position to realize their right to life, right to liberty and pursuit of happiness properly. The French were no less conspicuous in this regard. The French Revolution has been a source of individual liberty not only for the French people but for the entire human race. The innermost principle of this revolution was to provide civil and political liberties to the people, and to govern the state with the principle of rule of law, separation of powers and tyrannical rules had to be replaced by the rule of men. In Germany, people united against the oppression of rulers on the basis of an aggressive nationalism. They viewed nation as the ultimate goal of human life. In Italy too the idea of one – nation triggered the people to establish a strong nation for themselves. The unification of Italy could be possible due to the feeling of oneness amongst the Italian people. And in India, the basic principle of Freedom Movement against the Colonial British rule was to provide socio-political freedom to Indians at large. Nevertheless, in all these states, movements were brought about by people for their basic freedom. So, when these freedoms were raised and recognized, debate relating security and liberty automatically came to the forefront. And then there begins the attempt to find an amicable solution by balancing security
and liberty. Before moving on to balancing security with liberty, it is important to understand the situation under which the nation-state came into being. The nation-state as we have perceived today is not of a very old origin in the modern sense of the term. To D.D Raphael, "The state in the modern world is often a nation-state i.e. a nation organized as an association." (Raphael: 1990: 41) It was only in 18th century the true nation-states were installed in Western Europe (19th C to some, when mass literacy and mass media were accessible to common man), though the process started in England a bit earlier. It was with the Treaty of Westphalia in 1648, when the thirty years old war brought to a halt in Europe, peace and security progressed in Europe. The Treaty of Westphalia was based on three important premises, (i) the kind is the emperor in his own realm. This means, the sovereign is not subjected to any higher political authority, (ii) the sovereign determines the religious belief of his realm. That the outsiders have no right to intervene in it. This means he is supreme (iii) The balance of power will have to be there in the sovereign. That it prevents any hegemony (Baylish et al. 2001: 43). Thus, though the nation-states appeared towards the close of the middle age, when strong rulers were able to free themselves from the clutches of the feudal lords, only then they could establish their own nation-states with a well-demarcated land areas. But Europe was a compact bloc when society, culture, and religious belief come to the fore front, if not, politically. As " In the early Middle Ages Europe was one great ream as it has never been since. It was not strictly Europe, but Christendom. There were so many little states that they did not matter. A man counted himself first a Christian, then a Norman or a Saxon, and after that a Frenchman or an Englishman as might be."(Lawrence 1971: 134). Its indeed quite difficult to define a nation state. As in the words of D.D. Raphael, "The state in certainly organized, indeed the most highly organized of all forms of association. It is not easy, however, to specify a definite, limited set of purposes that may be attributed to it." (Raphael 1990: 41) The French orientalist and historian Ernest Renan once said that the 'nation' was a spiritual unity which wished to uphold its sense of unity through a day to day vote of confidence. Certainly, an ideal definition of a nation. But to Joseph Stalin, "a nation is a historically constituted, stable community of people, formed on the basis of common language, territory, economic life and psychological makeup manifested in a common culture." (Marxism and the National Question). He thus, gave a material definition. The modern scholars are of the opinion that possessing a common language is the key to the nation formation like Italian
unification on the basis of language (1861). As in the words of Machiavelli, "But when states are acquired in a country differing in languages, customs, or laws, these are difficulties, and good fortune and great energy are needed to hold them, and one of the greatest and most real helps would be that he who has acquired them should go and reside there" (Machiavelli: 1908: 8). But language cannot be the only basis of a nation for even though English is spoken both in England and in the USA they are two different nations. And again, the people of Switzerland speak three different languages but they are one nation. Therefore, we can say that a nation is a group of people who feel that they are enough like each other and enough unlike other groups so that they wish to live under their own law and government. D.D. Raphael in this connection says, "The nation is a community, the state an association; membership of the nation is a matter of sentiment, depending on common experience and history, while membership of the state is a matter of legal status" (Raphael: 1990: 43).

However, a good number of factors were responsible for the emergence of nation-state. The renaissance movement in Europe was in fact so strong that it gave a tremendous fillip to the national language, thereby; scholars produced tons of literatures which in turn shaped the nationalism and feeling of oneness among the people. A sense of affinity prevailed in the mind of the men who suddenly, started behaving as a distinct race or entity. As in the words of H.J. Laski, "The state, I have said is a way regulating human conduct." (Laski 1962: 23) This feeling of oneness thus, was the basis of nationalism and nation state. The commercial rivalries among the merchants of different nation states too helped a lot in the development of the feeling of oneness among the people. When the conflicts were inevitable these merchants sought the protections of the kings who got supports in return. Thus, these kings came out to help the merchants, thereby creating a sense of 'we and they' which was certainly in favour of the nation-states. The rise of a middle class in Europe also was a great contributory factor in the nation building. The middle class which earned their living by sheer hard work could give donations and seek the help of rulers for their protection against the feudal lords which helped the kings to build a strong nation. As in the words of Laski, "The history of trade union law in England, of freedom of contract in America, of agrarian legislation in Prussia, are all instances of the way in which a dominant economic class uses the state to ultimate those legal imperatives which best protect its interests." (Laski 1962: 15) In fact, the rise of nation-state and national security sounded the death knell of feudal lords. And when
the authority of the church was separated and limited, by the kings, the kings became not only head of the political system but also controlled the activities of the church. The reformation movements which were initiated, were also greatly helped in this direction. The nation-states became triumphant and omnipotent. But the idea of nation and nationalism came to America later only. While, the "one nation" norm and spirit of nationalism developed in Europe before centuries, in the case of the USA; it was yet to come. As Polin and Polin have rightly said, "Thus, a nation is a common religious or cultural heritage, or both, as well as a richly mixed racial heritage (i.e., a nation characterized by a multi-varied heritage is the United States of America, One nation from Many" (Polin and Polin : 2006). As in the words of Nevins and Commager, "It was a fact of immense significance that whereas in the making of most new states - Portugal, for example, or Norway, or Germany or Italy – the nation came centuries before the state, in the making of the United States the state came before the nation." (Nevins and Commager 1973 : 168). Admiring US as a great nation-state, Condoleezza Rice says, "The US still possesses the unique ability to assimilate new citizens of every race, religion, and culture in to the fabric of our national and economic life." (Rice 2008: 23). While, the nation is a feeling of oneness, it is subsisted with cultural or ethnic entity, but the state is an organized polity of people living in a definite territory. It subsists in a political or geopolitical entity. By the time of her independence, what we know as the United States of America, was a nation-state of heterogeneous population with different cultures and political philosophy. They were not only immigrant population of Europe but they were also with their own habits, manners, thinking, behavior, languages and cultures. However, before the declaration of independence, they were all agreed upon this that they are an independent nation with an independent will to be united politically and culturally on the soil of America. They forgot their British connection and established a new path of freedom through independence. As Prof. Oscar Handlin, in his "The History of United States" says, "In 1775 thirteen colonies that had become a nation even before they were independent embarked upon, a long war, the outcome of which established them firmly as a sovereign power. Their antagonist was the world’s greatest empire. Against this might the colonists had the advantage of operating a home territory while, a great distance separated their enemy from this base in Europe…” As a matter of fact, the emergence of nation-state in the United States of America was not only a
later development but it was also developed from a peculiar nature. As to scholars on common language, it is the means through which a nation-state is built. As the papal authority was slowly waning and the Roman empire was beaming, there thus, came a new awakening in the form of nation-state. Then, states were absolute and centralized with standing armies. Such absolute states had the right to taxation and right to use force with the boundaries of the state. In fact, the emergence of centralized states were products of wars in Europe and the idea of taxation was linked to waging wars as well. The primary intention of these states was to enhance their economic power along with their military power. A small state could never be in a position to set on power unless, it had to shape itself bigger in terms of economy, military and territoriality. The spirit or driving force of such states was in fact 'nationalism' which when mixed with such states produced nation-state. And the nation-state when intermingled with the modern states gave rise to the concept of sovereign state. The nation-state passed all the features onto the sovereign state. As Palmer and Perkins have rightly said, "We might call them corollaries." (Palmer and Perkins 1970 : 10).

Main Features of Nation-State:

The nation-states which emerged in Europe, soon spread to the other parts of the world in 19th and 20th centuries. Important features of the nation-state can be summarized as below. First, sovereignty was the nucleus of the nation-state. It was the supreme authority of the political system. It has been described by many political thinkers to be the 'nucleus' of the nation-state. But sovereign was understood in two different ways such as the 'supreme authority' and the 'ultimate law' of the land. The nation-state with sovereignty could do according to its own discretion while, dealing with the international relations. This means that the nation-state will neither be subdued before any external powers nor be subordinated to any internal force or organization. The concept of divisible sovereignty is contrary to logic and political unfeasible... (Morgenthau : 1962 : 326). Its that capacity of a nation state with the help of which it interact with other nation-states of world. In the present day context, it's that capacity which makes a state a state. Second, territory was another indispensable factor of the nation-state. It's definite portion of land area which was carved out by the law of the land and so also recognized by the other nation-states. The territory of a nation-state was the territorial limitation of the authority of the state. It was a political integrity inhabited by the nationality whose primary responsibility
was to sentinel the boundary and the territorality. Without a definite territory there
could not be a nation-state. Third, legality was another character of the nation-state.
When we talk of legality, we talk of sovereign equality. It was the feature through
which a nation-state was recognized and accepted as well. Every such nation-state
was an authority in itself vis-à-vis a member of the international community. Fourth,
the nationality of the feeling of one-nation was always there with the nation-state. The
people living in an organized territory were those people who were feeling themselves
to be one people. There was always an inner spirit and force which directed them to
develop their own form of nationalism. The nation-state was viewed as political unit
and individuals were asked to spring up to the national main stream. But the
achievements of science and technology especially, in information technology and the
'idea of globalization' has pushed down the idea of nationalism to the back bench.
Now a days, so, “ the states are not seen as the end of the individual, but the
individual is most certainly the end of the state”,(Wayper 1995 : 65). Those features
which were indispensable for the nation-state have become dominant features of the
modern states. Though, the nomenclature of the nation-state has been changed over
times but the nature and behaviour have remained the same, even today.

Therefore, the advent of nation-states in Europe changed the course of world
history. Soon after their reorganizing into various nation-states, they started giving
priority to their own nation-states and national interests. The national interests were
included into important areas of their concerns such as a foreign policy and domestic
policy fueled by a strong spirit of nationalism, safely guiding the national borders and
maintaining a strong national security by means of any possible methods. Such
national interest and security had profound impact on the domestic sectors then, and
now as well. “Nation-states exist to provide a decentralized method of delivering
political (public) goods to persons living within designated parameters (borders)”(Rotberg 2003 : 2). Besides, the nation-state is supposed to provide the
citizens with innumerable services as “This political good encompasses the essential
freedom: the right to compete for office; respect and support for national and regional
political institutions, like legislatures and courts; tolerance of dissent and difference;
and fundamental civil and human rights.”(Rotberg 2003 : 3). Morton A. Kaplan
explains, "the national interest is the interest which a national actor has in
implementing the needs of the national system of action” (Kaplan 1975 : 164). Even
though, nations in the present day world are making different types of policies such as
one set of policy for domestic affairs and the other set of policy for foreign affairs, their primary concern is their national interests and national security. As it has been said rightly, "the problem with today's United States is not that it is a new global empire, but while, pretending to be an empire, it continues to act as a nation-state, ruthlessly pursuing its interest." (Shariff 2008). It may be significant to observe that in the post-cold war years until 9/11 episode, the US had perceived threats in Europe, Asia and Africa of the nature of conflicts within states and failure of states. The US never visualized any threat emanating from within the US until the terrorist attacks on New York Trade Center and Pentagon on 11th September 2001 when a major threat to national security was upheld and proclaimed. Very rightly, "Bush dictated his daily diary that night that the Pearl Harbor of the 21st century took place today." (Woodward 2004: 24). In fact, the attacks were so massive that they could annihilate the entire US and have been compared to the British Burning of Washington D.C of 1814 and the Japanese Attack of Pearl Harbor of 1941. America was neither prepared to face the attacks nor it could prevent it. The loss of life and property were enormous. However, the respond of the US was never delayed. It organized the world into an offence, without any hesitation against al Quaeda and Taliban in Afghanistan declaring a global war on terrorism which is known as "Operation Enduring Freedom." The Taliban regime got replaced with a democratic friendly one and terrorist camps and hide outs were destroyed in the process with out catching or killing the master mind of the 9/11 attacks, Osama bin Laden. Even though, the Afghanistan war was won by the US, the "threat of terrorism" could not be destroyed. "America is less secure today than ever. While, American military power seems unchallengeable and the American economy has no equal, global affairs are now so unstable, and the future is so unclear, that the long-term security of this country is uncertain" (Van Tuyll 1998: 5). As a result, the US again planned for attacks but on a different country, ie, Iraq. It followed the past style of organizing and sought the support of more than forty states against Iraq. However, this time even if the the United Nations did not give permission to attack Iraq, the US abated its allies to go for offensive against Iraq on the pretext that Iraq must be restricted from developing any Weapons of Mass Destruction (WMD). Thus, on March 19, 2003, the US invaded Iraq and described the attack as "Operation Iraqi Freedom." It has been said that from the stand point of use of information and communication technology and sophisticated arms and ammunitions, the Second Gulf War (Operation Iraqi Freedom)
was far superior and deadly than the First Gulf War (Operation Desert Storm) of 1991 which was carried out under the UN permission to make Kuwait free from the clutches of Iraq. While, the First Gulf War was organized to flush out Iraqi soldiers from Kuwait, but the Second Gulf War was meant for searching and seizure of Weapons of Mass Destructions from the possession of Iraq. It has been said very rightly that “the tragic events of 11 September 2001 challenged traditional concepts of deterrence. Notwithstanding the immense retaliatory capabilities of the United States, an adversary was willing to attack and face the consequences” (Smith 2006: 3).

America today spends a huge amount of money to keep its democratic movement go on, to keep its military alert all the time and networking of NATO members and to keep the button of world economy with itself. As “the balance of military power had radically changed. In the aftermath of the Second World War, the United States was unquestionably the most powerful nation on earth.” If the annual defence expenditure report of 2004 of the US, is to be believed, the US spent $455.9 billion in a particular fiscal year for defence expenditure only which is more than the total defence expenditure of 12 states, $ 449.4 billion taken together.

This implies that the US is spending quite more on defence than on anything else, especially after the 9/11 attacks. As “Incorporating the effects of September 11 and Operation Enduring Freedom in Afghanistan, President Bush’s budgets are now as follows: $ 329 billion in 2001, $ 351 billion in 2002, and $ 396 billion proposed for 2003” (O’Hanlon 2001 : 14). But this is not the end of huge military spending by the United States. Apart from this, “The new homeland security budget concept reveals how quickly spending in this area has been rising. In 1995, the budget for homeland security was $ 9.0 billion; by 2000 it was $ 13.0 billion; in 2001, it was $ 16.9 billion ($0.9 billion being added after September 11)” (O’Hanlon 2001 : 23). It has made up its view regarding foreign policy and international relations. The US administration is all agreed that unless an anti-terrorism policy is framed and worked with full spirit and dedication, they are not going to save America from such threats. The policy and work out will be very costly and may produce ill-will, the establishment know it, but then, also they don’t want to go back from it or change their policy from chasing and

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punishing the culprits making a paradigm shift at their policy of deterrence. Beside the defence spending, the “Defence Outsourcing” is “nearly doubled in 2004” (Cooper 2009 : 569). As after the disintegration of Soviet Union, the major threat on the US national security from the Soviet Union is gone so the policy of deterrence need to be changed. “But the transition period has ended, and a new strategy is urgently needed” (Carter and Perry 1999 : 9). In this regard Theodore Draper says, “libeling a weapons system is a “travesty of military principles and practice”, he clearly assumes the primacy of strategy over arms control.”(Goldfischer 1993 : 23). However, Draper has agreed it that there is “no such thing as a pure... defense or offensive weapons,” since “every weapon... can be used offensively or defensively”(Goldfischer 1993 : 16). This implies that the amount of money spent on defence of a state can be carried forward to for offensive purpose of the United States as well.

National Security Explained:

When we are talking about national security, we are talking about security of a nation-state. The idea is to provide the state with security from any external or internal threats. In other words, it is the sum total of national interests. To secure a nation-state in the ancient times, boundary was given on the outer fringe of the nation-state or sentinels were putting to guard the nation-state. But in modern times, a nation-state is provided security with the help of military, political and economic strength and diplomacy or the mechanism of negotiation. There is an unbreakable relations between the polity of the state and the service of military in it. The science and technology are used for “countering terrorism making the nation safer” to which Rita Colwell the Director of the National Science Foundation (NSF) says, “Science as Patriotism”(Lucena 2005 : 1). Condoleezza Rice, the National Security Advisor, states, “...The president must remember that the military is a special instrument. It is lethal, and it is meant to be. It is not a civilian police force. It is not a political referee. And it is most certainly not designed to build a civilian society. Military force is best used to support clear political goals.”(Felix 2005 : 197-198). Thus, national security is a policy of a nation-state to protect the nation-state from any foreign aggression or internal disturbance by using economy, polity, diplomacy, military and science and technology. This is basically a sum-total of national interests of a nation-state. Every nation-state including the US, followed a national security policy which suits it most,
depending on its international relations, geographical location, social fabrics, cultural inevitabilities and political considerations. "This does not mean that a broad range of US national interests which many Americans loosely deem to be vital, such as propagating democratic values, encouraging capitalist free trade, fostering respect for human rights, opposing humanitarian excesses that could-if ignored-lead to genocide, plus other normative interests are unimportant"(Olsen 2002 : 12). But then, the national security policy was not very important and made compulsory to provide security to the nation-state against any external aggression. However, the outbreak of Second World War changed the view altogether. Soon after the war was over, states started giving more importance to their national security and wrote extensively on it and the US was not different from other states. As "In short, events in Europe and the Asia-Pacific region underscored to most Americans after the war the importance of abandoning discredited old-fashioned notions about the virtues of strategic self-reliant, and motivated American desires to create a new postwar security paradigm that could prevent repetition of past mistakes"(Olsen 2002 : 7). "The changes in US national security concerns since 1989 have been truly breathtaking"(Watson 2002 : 1).

As soon as the war was over in 1945, the US passed a strong national security act which is known as National Security Act of 1947. In fact, this is for the first time that the US felt the need of systematic foreign policy and became careful about national security and intelligence system. However, "At the end of 2004 President George W. Bush signed into law (the Intelligence Reform and Terrorism Prevention Act of 2004) the first strategically significant changes in the American intelligence system since it was created at the end of World War II"(Sims and Gerber 2005 : ix). During this time, as the world was divided into two main blocs of the US and the USSR, so all the states had no other option but to join either of the blocs. They too did not hesitate to make their own foreign policy which included national security. The Truman Doctrine, and the Marshall Plan in the case of US and Molotov Plan in the case of USSR played vital role. But disorganization of USSR in 1991 pave the way out for the US to be the only Super Power in the Unipolar world. However, the incident of September 11, 2001 in which the US got attacks very badly from inside, killing a number of US citizens and destroying enormous property made the US to correct its foreign policy and national security again. Right from this time onwards, the US has declared a War on Terrorism and vowed to intercept and obstruct terrorism within the US and around the world. It is this time that the US started thinking.
seriously about national security, and making a paradigm shift in it's international relations and foreign policy which became a line of action and foreign policy priority by many nations throughout the world. The term security became most important aspect of a nation-state. Such a new development has given rise to the concept of International Security. The stern measures of military, political, economic, diplomatic and foreign policy etc taken up by various nations, and international organizations, for example, the United States and United Nations to ensure mutual peace and security have been upheld worldwide. This is the reason why, international security is very often describes as global security and encompasses the traditional security wherein a realist construction of security is made and nation-state becomes the subject matter of study. Such an idea of security was however, of cold war time period in which nation-states were everything and rest were nothing. During cold war period the world was divided into two blocs and a balance of power was thought to be indispensable for security. This led every nation-state to protect and guard their territorial limitation first employing their entire resources of military, polity, economy, diplomacy and a robust foreign policy then to go for any other relations. This was a time when nation-states were busy in providing security to the nation-state which was state-centric totally. But after the disintegration of Soviet Union in 1991 and these nation-states organized into a unipolar world, such a view of security has not been taken up any more or in other words, it has been useless, in the course of time. The traditional concept of security i.e., national security is no more selling like hot cake. Rather, it has been replaced by human security which is more reliable and more acceptable. It not only talks and concentrates about security of human beings but protects basic freedoms as well. It does not belief in the stereotype of national security of nation-state which is very often an imagination of the concept of security or practically failed as a measure or racially motivated basically. However, 'security' in ordinary parlance denotes “safety”, that is to say freedom from danger or anxiety” (Hornby 1987: 770). As in the words of Amitai Etzioni, “I must note that when I refer to “security”, I mean basic security, the conditions under which most people, most of the time, are able to go about their lives, venture onto the street, work, study, and participate in public life (politics included), without acute fear of being killed or injured-without being terrorized” (Etzioni 2007: 2). This means that security as a term is subsisted with psychological fear. It is equal to a “superstition” or in other words it is relating to an imagination and a mental case. So to talk about security is to talk about superstition or
imagination. It is to talk about an illusion, which may happen or may not in real life. Then why, some people are worried about their security even at the cost of majority's liberty, is a question worth raising. Why they are hell bent upon their security and hardly pay respect to golden liberty? The reason behind this is that, while, on the one hand Americans believe in life, on the other hand, Arabians believe in death. Americans can go to any extent to provide national security to their people and nation. But the Arabians can go to any extent to knock it. They can die for their believe in Islam. The national security is dear not only to the Europeans but Americans too consider it as a principle for their individual and state survival. Being the followers of individualism and idea of capitalism, they should have given priority to human security more than that of national security, they should have emphasized more on freedom from fear and protection of individual liberties, instead of talking about national security which is rather community based and more social as an issue.

However, national security is defined by former Secretary of Defense Harold Brown as “National security, then, is the ability to preserve the nation's physical integrity and territory; to maintain its economic relations with the rest of the world on reasonable terms; to protect its nature, institutions, and governance from disruption from outside; and to control its borders” (Watson 2002: 2). This means that defence of the nation is the basic feature of national security. But “today the definition of national security in the United States has expanded again, as we recognized that conflict can occur on U.S. soil” (Watson 2002: 4). Right from the Second World War, the identified enemy of the US was Soviet Union but soon after the disintegration of USSR in 1991, the centre of threat too got changed and in the event of the terrorist attacks of September 11, 2001, the threat is shifted to Arab world. Now, with changing in the centre and level of threat, the national security policy has also changed with an emphasis on modern tools and technology and more vigorous steps. The primary actors in creating and implementing US national security policy now include the US Congress, the Department of State, the Department of Defense, the Department of Justice, the Department of Energy, the Department of Homeland Security, the FBI, the CIA and the FEMA or Federal Emergency Management Agency (Watson 2002: 8). The US Congress which includes the House of Representatives and the Senate plays a vital role in the national security policy making and in initiating, debating and concluding laws for the nation. The US President is not only Chief Executive of the state and Head of the Nation and he is
also the Commander-in-Chief of the armed forces but “Congress has the power of the purse strings and the Senate declares war…” (Watson 2002 : 9). As “a Government’s most momentous decision is to take its people to war. In the American political system, the president is at the center of the movement toward war” (Hess 2001 : 1). However, next to the President over national security is the place of the Secretary of State. “The Secretary of State is the first Cabinet officer in the order of presidential succession, thus appearing to be first among equals in the president’s Cabinet” (Watson 2002 : 10). While, the Department of Defense as the largest Cabinet Department has a major role to play on national security, the Department of Justice is equally important for obstructing unwanted immigration into the US. But the Department of Energy though seems to deal with a different subject matter yet, national security issues relating to nuclear weapons and weapons of mass destruction have direct link with this department. The Patriot Act made Department of Homeland Security which is President Bush’s “presidential creation rather than a congressionally mandated department” (Watson 2002 : 15) is important for intercepting and obstructing terrorism at homeland. But it has to “coordinate information-gathering among 22 formerly independent government law enforcement and intelligence agencies” (Kedy II 2003 : 749). For intelligence informations, investigations, and surveillance the contributions of the FBI and the CIA have been praiseworthy. The role of the FEMA is indispensable for attending to terrorist attacks, mitigating the disaster and providing first aid-relief work to the effected citizens in the case of an unforeseen incident. The role of US Constitution on national security policy making can never be overlooked in this respect. The constitution categorically provides for protection and best construction of national security in the legal context as well. “Congress shall have power... to provide for calling forth the militia to execute the Laws of the Union, suppress Insurrections, and repel Invasions.” 3 Further, “The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them... against domestic Violence.” 4 The Federal Law Directives provide “military support to civilian authorities” (Larson and Peters 2001 : 6) in the case of need. The Department of Defense is assigned tasks to: Support and defend the Constitution of the United States against all enemies, foreign and domestic. Ensure, by timely and effective military action, the security of the

3 Art. I, Sec. 8, The US Constitution.
4 Art. IV, Sec. 4, The US Constitution.
United States, its territories, and areas vital to its interests. Upholding and advance the national policies and interests of the United States. Safeguard the internal security of the United States. (Larson and Peters 2001 : 6). The US National Security Strategy thus, “is a broad, national effort that relies on interagency efforts at the federal level and a program that knits these federal capabilities together with local and state capabilities”(Larson and Peters 2001 : 8).

The Theory of National Security:

The national security of a state implies the security of the nation-state. That is to say, the safety of the entire state system, which includes internal security and external security. It is thus, the sum total of national interests such as social political, economic, cultural, geographical, diplomatic and so on. It basically covers two aspects such as security from within and security beyond borders. And tries to achieve those goals as a matter of policy. “Before the executors of foreign policy can decide what the nation ought to do, they must learn from political and military experts what the nation is able to do.”( May 2004 : 7) So, when a nation-state prepares plan for the national security, it does take care of all the above inevitabilities. It is designed to prevent any arms conflicts or internal disturbance which can paralyze the state system. If, they would not be brought under control then, they can be proved to be high risk and threat for the nation. But external security is primarily with security of national interests beyond borders. It makes necessary plans and procedures for the protection of national interests in the foreign countries with the help of intelligence services, espionage, diplomacy and foreign policy. The national security as a matter of policy has been given importance by the nation-states around the world only in 20th Century. When the term national security was used in “Clark Memorandum”(Clark 1928) in 1928 for the first time, states started using the term to interpret for their own interests and it became a part of political thought in the international relations.

However, the history of national security dates back to the Monroe Doctrine in the US. When the President James Monroe in 1823 declared that no European state would be allowed to make colony in the Americas or else, the US would be bound to intervene in it. He sent a message, not only to the Europeans but to the entire world that national interest and national security are great things for a nation, without which they can survive as nation-states and thus, can not be taken negligently by the states. But soon after the Second World War, the national interest of the US took a different
shape in the light of communism and thus, the national security policy too got reshaped. The then, US President, Harry S. Truman signed the much talk about National Security Act of 1947 and gave a new meaning to the concept of national security of the US. “The CIA had its origins in World War II. Until then, the United States had no civilian intelligence agency” (May 2005: 9). It was this act which not only created the National Security Council and the Central Intelligence Agency but started the Department of Defense and the Secretary of Defense. The National Security Council(NSC) “was created by the National Security Act of 1974 as a coordination mechanism by which the secretaries of state, defense, and treasury, as well as other individuals, could meet to advise the president on national security” (Watson 2002: 10). Though the targets were different for the Monroe Doctrine and the Truman Doctrine, but the purpose was the same ie., to uphold the US national security. However, “President Ronald Reagan continued and accelerated a defense buildup started by President Jimmy Carle.” (Aaron 1990: 9). Such a policy of the US could not sustain for long and the 9/11 terrorist attacks which devastated the US very badly made the administration to go for paradigm shift in the strategy of national security again. Even though, it has been claimed recently by journalist Gregg Easterbrook that “the extent of American military superiority has become almost impossible to overstate. During Operation Iraqi Freedom, US forces had shown beyond the shadow of a doubt that they were, the strongest the world has ever known... stronger than the Wehmacht in 1940, stronger than the legions at the height of Roman power” (Bacevich 2005: 1). The ‘War on Terrorism’ of which the US has made a policy recently after the 9/11 to combat terrorism in the US and around the world has received cordially by a number of states. The Department of Homeland Security and the Northern Command Army are parts of new strategy of national security among others. Thus, the theory of national security is basically the national security strategy or in other words, its the grand strategy which can be defined as the integration of military, political, economic means to pursue states’ ultimate objectives in the international system. (O’Connor 2006) This is the theoretical framework of nations to interact with other nations. As C. Wright Mills calls during the cold cold war period, a “Military Metaphysics”- a tendency to see international problems as military problems and to discount the likelihood of finding a solution except through military means (Bacevich 2005: 2). But “grand strategy” involves with war on terrorism. It assumes the fact that war is too important a business to be left to soldiers,
some countries can be manipulated more easily by a carrot than a stick. (O'Connor 2006) Nevertheless, the theory of national security has many approaches and are followed depending on the place, person and situation.

First, the Balance of Power approach which assumes that power as a matter of fact must be balanced, and in that balance only rests the good of the world. It prevents any nation to be all powerful and dominating unilaterally. “The global balance of power is going through changes and adjustments that have few parallels” (Van Tuyll 1998: 5). For the good of every nations, power must be divided into two main contenders. For example, during cold war period, power was in the hands of US the leader of democracy and the USSR, the leader of communism. The Power was better conceived in a bipolar world. Secondly, the collective theory approach was a product of the First World War. This theory assumes that national security in indispensable for the nation but at the same time, nations have certain obligations towards their collective spirit. The collective national interests are viewed as greater than the national security. Such a believe made the Europeans and the Americans to think of world organizations of the League of Nations and the United Nations. The theory was conceived mainly, to counter Fascism in Europe. If, Germany and her allies would attack a member state of the collectivity then, it would be viewed as an attack on the entire group or collectivity and thus, the entire collectivity would come forward to respond to it.

Thirdly, the Democratic Peace Approach is a much talked about approach of national security in the international relations. It has got a tremendous support from scholars in the present day world and has been most focal from the stand point of peace and disarmament. It assumes that democracy is the best form of government and a state which follows democracy in full spirit is an obvious lover of peace and arms-free world. It has been said that democratic countries do not go to war against one another. Thus, they are peace loving and followers of just world order. Fourthly, the functionalist approach is however, based on the tenet of “form follows function”. Its different from the world federative approach as it gives importance not on creation of a world federal structure but on building peace by pieces. It does not believe in total surrender to the supra-national organization. David Mitrany, the most prominent advocate of functional approach, who believes in the fact that man is sufficiently rational to respond to the need of cooperation, if, it brings to him rewards. The theory stands on the fact that men ultimately prefer to peace, law and order than to kill. And
war is due to human sufferings such as poverty, miseries, despise and the like, so if, such problems will be controlled and social welfare will be initiated then, there will be no war. It holds the view that organizations are built to specific need, thus, when the problem will be solved then, everything will be solved. When the entire world will be well-coordinated, not only lasting peace and avoidance of war can be possible but many social, economic and political problems of the world can be controlled and the world can move on progress. Now coming to the topic, the national security thus, is the freedom of a nation from any danger or threat. Right from the post Second World War period, the threat to American security was inevitable. And it as further aggravated during the cold war in which even if the erstwhile Soviet Union did not make an attack on the US practically, still, there was always war like situations in almost every steps both the Super Powers were taking. "Something that conformed through the duration of the Cold War and continues to the present post- Cold War period. It also made clear to the Soviet Union and to all other countries that the US would use military force not only within its own hemisphere (Monroe Doctrine) or when democratic ideals were threatened (Wilsonian Perspective) but in support of any country fighting communism any where in the world." (Kaufman: 2006: 84). Reacting to change the US strategic concepts, Samuel Huntington once said, “Americans are in danger of allowing their strategic concepts to become obsolete in a way that they would never allow their strategic weapons to become. American security in the 1980s requires not only a reconstitution of military strength but also a reformulation of military strategy” (Huntington 1982: 5). This inevitability of threat on the US made the leaders of the nation to give priority over national security, “the Bush Administration also adopted the military strategy of “pre-emptive self defence”- attack the enemy before the enemy attacks you.” (Shariff 2008: 98). As “for the last half century, America’s national defence has been based on deterrence-the ability to respond with over whelming force to a nuclear attack”. Its important to note here that though, the Americans were known as a liberty-lover people in the world. But they too, suddenly started giving priority to their national security even at the cost of their civil liberties. As in the words of President Bush, “September the 11th obviously changed my thinking a lot about my responsibility as President. Because September the 11th made the security of the American people the priority...a sacred duty for the

President. It is the most necessary duty for the President, because if the President does not take on that duty, who else is going to?" (Woodward: 2004: 27). But the national security that we are contemplating was not created just after the terrorist attacks on the US, rather it was felt indispensable during the post Second World War period (Franklin D. Roosevelt Administration). The National Security Act, 1947, (P.L. 235, 61 Stat. 496) was introduced and passed in the US Congress and it was this act, "which provided for the creation of a National Security Council charged with coordinating domestic, military, and foreign policies relating to National Security" (Kaufman 2006: 85). The National Security Act of 1947 also created the Central Intelligence Agency (CIA) and Department of Defence (earlier Departments of War and Navy). The National Security Act, 1947 provided various provisions relating to purposes, functions and structure of the National Security Council such as, First, to "advise the President with respect to the integration of domestic, foreign and military policies relating to the national security so as to enable the military services and the other departments and agencies of the government to cooperate more effectively in matters involving national security." Second, to "assess and appraise the objectives, commitments, and risk of the United States in relation to (its) actual and potential military power in the interests of national security...." Third, to "consider policies on matter of common interest to the departments and agencies of the government concerned with the national security...." It is open to the President any time to ask for advice on any specific subject relating to national security, or ask the NSC to undertake studies in a particular area of national security. Thus, the basic purpose of the NSC is to advise the President in the making of national security policy, to achieve, functional integration and institutional coordination of national security policy in the light of nation's politico-military goals and economic strength. The national Security, Act, 1947, also provided for structure of the NSC. The NSC as a statutory body is consisted of "the President, the Vice-President (not original but added as a member by an amendment in 1949), the Secretary of State and the Secretary of Defense, The Director for Mutual Security, the Chairman of the National

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6 National Security Act, 1947, Department of State, URL:
http://www.state.gov/r/pa/ho/time/cwr/17603.htm
7 Sec.101 (a), The National Security Act,1947.
8 Sec.101 (b), (1).
9 Sec. 101 (b), (2).
Security Resources Board and Secretaries and Under Secretaries of other executive departments and the military departments, the Chairman of the Munitions Board, and the Chairman of the Research and Development Board, when appointed by the President by and with the advise at his pleasure." But Secretary of Treasury is also invited to the NSC meeting which was started by President Harry Truman as a practice. But from time to time, the membership of NSC has been changed on account of various reasons and situations. Even though, it has been claimed by critiques of the National Security Council including President Bill Clinton that the world is changed now and needs different strategy to solve the problems. There is a need to create an Economic Security Council in the par with the NSC. As “He promised to create an economic security council modeled after the National Security Council, it ensure sufficient attention to US economic interests in his administration’s foreign policy” (Ripley and Lindsay 1997: 42). This implies that the NSC is a product of cold war era and holds effective during those times. But in the present situations since, the world is changed and it is not only the military threat that is expecting immediately, rather, it is important to shape and size the foreign policy from the stand point of economic threats. Though, Clinton Administration did not replace the NSC, it did a change to it. As Bill Clinton says, “The NSC shall advise and assist me in integrating all aspects of national security policy as it affects the United States-domestic, foreign, military, intelligence and economic (in conjugation with the National Economic Council)” (Ripley and Lindsay 1997: 52).

However, a new US Commission on National Security has been created to fight terrorism in the 21st century “The Commission was charted to be the most comprehensive examination of the structures and process of the US National Security apparatus since the core legislation governing it was passed in 1947.” Though, the very term 'nation' has been a matter of serious debate still, a nation is a complete unity of its own. It's the first and foremost duty of the organized government to look after the security of its populace, sovereignty and territoriality in the case of any danger and threat. When such elements of a nation-state expose to threat or danger, the nation-state goes on to tighten its security system by every possible means. Nevertheless, security implies two important aspects such as physical security and

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12 Homeland Security, Countering Terrorism on the Domestic Front, Published in Congressional Digest, vol.80, no.11, 2001, Washing D.C., p.263.
psychological security. Indeed it is the responsibility of the nation state to provide the citizens with their bodily security i.e., freedom from threat or danger and psychological fear of threat and danger (Snow : 1987 : 5). So, national security broadly speaking, is a policy made by a nation-state to provide adequate sentinel to the demarcated boundaries of the nation in which, the citizens can live their lives peaceably, happily and free from any outside or inside threat or danger. It is natural on the part of a nation to make its own national security policy for the protection of its citizens life, liberty and property. As in case of the terrorist attacks of 9/11 upon the US, the time has made the leaders of America to go for a stricter form of legislation called as the USA-PATRIOT Act, 2001 (Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism). It was widely believed that without a proper rearrangement of their national security with their civil liberty, neither their liberty nor their national security could be protected. U.S. President George W. Bush addressed to the nation and vowed to find those responsible and bring them to justice (Bush 2001). As it has been said, “To defeat this threat we must make use of every tool in our arsenal-military power, better homeland defenses, law enforcement, intelligence, and vigorous efforts to cut off terrorist financing”(Columbus 2003 : 4).

National Security vs Human Security:

The modern trend has been however, to talk about human security rather than national security. Human Security is emerging as a new alternative to address the security problem of the world. The experts' opinion on security is that since security as a matter of fact touches all so, should be decided by all. In stead of talking about national security which is nation-based and carried out by foreign policy compulsions giving more importance to nation, region and territorial limitations of a state rather than, the real issue. It has been accepted by criminology and experts on social crimes and delinquency that it is important to study the situation in which a particular crime has taken place. In many parts of the world where there is strict rules and regulations, there is rampant poverty and discriminations on the grounds of caste, creed, colour and place of birth etc, there is economic disparity of citizens, people take the course of anti-social activities which are prohibited other wise by the law of the land. Even though, “Poverty does not make poor people into terrorists and murderers. Yet,
poverty, weak institutions, and corruption can make weak states vulnerable to terrorist
groups and drug cartels within their borders." (Columbus 2003: 5). A weak state as
small as Afghanistan can challenge the most powerful state like the US, that to from
within. While, in South Asia, the rate of crimes is too high but in Chile it is too less
and the reason behind this is socio-economic conditions of mass who are reeling
under poverty, illiteracy, starvation, social discriminations, and restrictions. The
United Nations Development Programme released its report in 1994 which was so
alarming for the world depicting various indicators of developments that people
started thinking again about the necessity and authenticity of national security. It
emphasized on human security more than that of national security. The report
concluded it that the freedom from want and freedom from fear which are more
individual oriented and are more workable and achievable and seem more important
in today's life than national security which is clumsy, nation-state based and funnels
through either prejudice or racialism. It was Dr. Mahbub Haq, a renowned Pakistani
economist who is known for theory of economic development, was the person first to
draw the world attention towards human security. As a result of this the United Nation
Development Programme described human security to be global security and more
important even, at the cost of a national security and jotted down several security
threats which human beings face throughout the world irrespective of their caste,
colour, creed and community and place of birth. They are (1). Economic Security is
considered to be an indispensable condition of human development and in the absence
of which there can not be any social or political progress. As the per capita income of
industrial and developed world is so high that they can have an upper hand in terms of
consumption and purchasing capacity but many people living in Third World
countries are below poverty line and survive with bare food. Thus, economic security
subsists in the basic assured income of all from production and remuneration, equality
in the case of opportunity available and sharing in the national wealth and polity
without any discriminations. Eradication of poverty, unemployment, illiteracy,
catastrophes, and epidemics are all responsibilities of the state and the states are
bound by the law to do their parts. The very purpose of state is to provide the citizens
with not only physical security but also social and economic security. (2). Food
Security is another aspect of concerned and regarded as a basic right of people
irrespective of their citizenship. Every one who is a citizen is entitled to Fundamental
Rights of the constitution and the right to life, liberty and property are all considered
as fundamental rights. The right to life as guaranteed by the constitution also covers right to food and right to survive, so when a person is deprived of his food, he has every right to sue the state for the failure to provide him with food and right to life. While, the food-grain stock of a state is full, it is the duty of the state to make them available to the citizens and a failure is termed as official negligence and thus, draws the attention of law and punishment. The United Nation is relentlessly trying to eradicate poverty from the earth, and any attempt to hide or creating false shortage of food or negligence in distribution of food implies attempt to kill. Thus, access to food is a basic right which can not be denied to any citizens. (3). Health Security is also considered by most constitutions as a basic right. It goes with right to life and live happily. It aims at guaranteeing safety from health hazards. Protecting the citizens from epidemics and proving them with clean water, air, environment etc all come within this right and no state can neglect on these issues concerning individuals. Every citizen has a right to nutritious foods, essential medicines, and health care and the state are supposed to provide them at any cost. (4). Environment Security is of recent origin and individuals have got a right to make their environment free from pollutions. Deforesting, erosion of soil, population control, global warming, mis-use of lands, protection of wild animals, and installing industrial set up in the villages of indigenous people etc are certain issues which have direct link with human life and citizens are entitled to protect their environment as their basic right. (5). Personal Security denotes providing basic amenities for the fullest realization of human life. No person can be injured physically or mentally or other wise except by the due process. Personal liberties are as necessary as life itself and in their absence, no individual can live a proper social life. (6). Community Security is another basic right of citizens which can be undermined in any way. The security of a community implies that the community has the right to protect and preserve it's identity, society, culture, habit, manner, language, belief and values without any disruption and influence. No pressure from within or out side can destroy it. Every community, whatever may be the size and population has right to survive and carry forward it's legacy without any hindrances and obstructions. (7). Political Security is also described as an essential right of a populace. No person can be restricted or denied lawfully from contesting an election or occupying an office of profit or profess a vocation. The right to polity is guaranteed in the constitutions of many countries and it can not be done way with. The political security connotes that all citizens are entitled to human rights and they
can not be taken away by any state authority without proper grounds of law. This acts as a directive of the United Nations against any political repression, systematic misbehaviour, denounce, misrepresentation, torture, discrimination, or ill-feeling. Sometimes, state sponsored ill-treatment and attacks are carried out against a particular caste group or religious group and condemned them to inferior human beings which are certainly against human security at large. Therefore, the basic idea of national security is to protect the nation first and provide the territory with security. It is a state centric-policy which lacks individual security. It believes that in the protection of the nation the individual rights and liberties can be secured, which is very often a myth. But the reality should be to talk about security of all beings irrespective of the state they belong to. While, national security provides security to a particular state but human security talks about security of all human beings. The former is social based but the later is individual based. In fact, in present day world wherein terrorism is not confined to a particular state or region or religion, giving too much emphasis on traditional national security seems to be uninformed, rather, human security which talks about security of all human beings must be adjudged. The clauses of “freedom from fear” and “freedom from want” as are accepted by both academics and other wise, in this regard have been most welcoming not only for the American people but for the whole world. This has been an all accepted fact that the largest number of human beings are killed each year not by an act of terrorism, or civil war, ethnic conflicts, group wars or targeted criminal acts but by epidemics, diseases such as malarial fever, human rights violations, principled hate, propagation and systematic discriminations. “Proponents of the broad concept of human security articulated in the UN Development Programme’s 1994, Human Development Report, and the Commission on Human Security’s 2003 report, Human Security Now, argue that the threat agenda should be broadened to include hunger, disease and natural disasters because these kill far more people than war, genocide and terrorism combined.” 13 However, it can be said rightly with hundreds of examples that poverty, illiteracy and colour or caste discriminations have never made people terrorists and murderers in history so far. No person has become a terrorist because of of illiteracy or unemployment or discriminations on grounds of caste or colour. There is hardly any instance of blowing a hotel by bomb by a person who did it because he did not get

food to eat. No illiterate person blows a school building because he failed to be literate. There has not been a single instance of becoming a terrorist because of poverty or illiteracy. But only when socio-economic reasons associated with a religious fanaticism, in other words, when people are instigated against some other people to kill them so that they will realize their belief and do a service to the community, then they be enthusiastic to kill others in the name of such belief. Thus, when a particular problem is to be controlled and do away with it, the problem itself must be addressed and target must be fixed on it as well or else eradication of terrorism can hardly be possible.

The USA PATRIOT Act of 2001 thus, was passed by the United States to rewrite the balance between national security and civil liberties. But in this attempt, however, national security of the United States got emphasized and civil liberties were limited. The impact of the Patriot Act was such that living a normal life for a citizen became too tough and their privacy rights were restricted by the law. As a result of this an anti-Patriot Act feeling grew up in the United States leading to further amendments in the law. The “growing public concern about the impact of the PATRIOT Act prompted Congressman Bernie Sanders (I-VT) to introduce legislation in February 2003 to counter some of the most egregious provisions of the law.”(Kranich 2003). While, in the House, Representative C.L. Butch Otter (R-ID) tried to withhold funding for “sneak and peak” searches of private property, Representative Joseph Hoeffel (D-PA) introduced a bill known as “Surveillance Oversight and Disclosure Act of 2003” to curb certain provisions of the FISA. But in the Senate, Senator Barbara Boxer (D-CA) introduced a bill known as “Library and Bookseller Protection Act of 2003” and Senator Russell Feingold (D-WI) introduced another bill as “Library Bookseller, and Personal Records Privacy Act”(Kranich 2003). However, despite congressional cautions and disruptions, the growing resentments by the public, civil libertarians and constitutionalists, the most stumbling provisions the Patriot Act could not be amended or expired till date. Although, civil liberties are essential and indispensable for Americans, they have realized in the recent times that in the absence of a strong national security policy, they will neither be able to protect their constitution nor their nation.